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Proceedings of the Columbian Session,
Constitution and By-Laws,
The New Medical Practice Act,
Position of Society in Reference to Same.

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Northeastern Kentucky

Medical Association.

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**To the Members of the North-
eastern Kentucky Medical
Association and all Regu-
lar Practitioners of Medi-
cine:**

It is the purpose of this Association to here
submit the proceedings of the

Columbian Session

held in Maysville, Ky., October 25th, 1893, and
ask your attention to our successful past and
brilliant future, hoping to enlist the support and
favor of all within our confines.

Address all communications to

G. M. PHILLIPS, M. D., Secretary,

208 and 210 Sutton Street,

MAYSVILLE, KY.

AT 10 a. m. the handsome apartments in the Cox Building were in readiness for reception of visitors, and as the hour for the exercises approached the hall became well filled.

The gavel, in the hands of the worthy President, stilled the cordial greeting and brought to order all present.

The minutes of last meeting were then read and adopted.

The regular business disposed of and sixteen new members admitted.

The Association here unanimously voted an endorsement of the New Medical Practice Act, as passed by our last Legislature, and adjourned until 2 p. m.

At this hour the President, Dr. McDowell, delivered his address, a description of which is beyond the capabilities of the Secretary, and too lengthy to admit of re-production here. Will say, however, that it was an example of literature from the pen of a scholar, a doctor and a gentleman. Rich in truth, theory and sentiment, evincing culture, originality and dignity. In short, it was a masterpiece of its kind.

The regular program, consisting of essays and

reports of cases, with discussions, occupied the afternoon and afforded pleasure and profit to all.

Doctors Adamson of Maysville, Ky., and Kincaid of Catlettsburg, Ky., were here chosen respectively President and Vice-President for the ensuing six months.

The Board of Censors was appointed as follows: Doctors McDowell, Hill, Wade, Pangburn and Durrum.

Also a Committee on Arrangement, consisting of Doctors Wells, Morford and McNew, who were instructed to make the necessary arrangements for the next meeting at Blue Lick Springs.

The Association, after disposing of routine business, was invited to participate in a banquet at the Central Hotel at 8 p. m. No further business the meeting adjourned.

At 9 p. m. the doors of the banquet hall were thrown open where two immense tables diagonally arranged, laden with the season's delicacies, and faultlessly decorated, greeted the welcome guests as they entered in double file. Here in this dream of places, amid tinkling glasses and hum of voices, eating, drinking, smoking, giving ear to music and speaking the evening soon rolled away, and the curtain fell.

As Secretary of the Association here ends my duty, but if you will kindly lend me your attention for a moment I will endeavor to refer to the New Medical Law which is now exciting such universal criticism. I cannot do better than here insert this law and urge the careful consideration of the reader to every syllable of it.

THE NEW LAW
REGULATING THE PRACTICE OF MEDICINE
IN KENTUCKY.

*Be it enacted by the General Assembly of the
Commonwealth of Kentucky:*

SECTION 1.—It shall be the duty of the County Clerk of each county to purchase a book of suitable size, to be known as the "Medical Register" of the county, and to set apart one full page for the registration of each physician; and when any physician shall die or remove from the county he shall make a note of the same at the bottom of the page; and said clerk shall, on the first day of January in each year, transmit to the office of the State Board of Health a duly certified list of the physicians of said county registered under this law, together with such other information as is hereinafter required, and perform such other duties as are required by this law; and such clerk shall receive the sum of fifty cents from each physician so registered, which shall be his full compensation for all the duties required under this law.

SECTION 2.—It shall be unlawful for any person to practice medicine, in any of its branches, within the limits of this state, who has not exhibited and registered in the County Clerk's office of the county in which he resides his authority for so practicing medicine as herein prescribed, together with his age, address, place of birth, and the school or system of medicine to which he proposes to belong; and the person so registering shall subscribe and verify by oath, before such clerk, an affidavit containing such facts, which, if wilfully false, shall subject the affiant to conviction and punishment for perjury.

SECTION 3.—Authority to practice medicine under this law shall be a certificate from the State Board of Health, and said Board shall, upon application, issue a certificate to any reputable physician who is practicing, or who desires to begin the practice of medicine in this state, who possesses any of the following qualifications: First—A diploma from

a reputable medical college legally chartered under the laws of this state. Second—A diploma from a reputable and legally chartered medical college of some other state or country, indorsed as such by the State Board of Health. Third—Satisfactory evidence from the person claiming the same that such person was reputably and honorably engaged in the practice in this state prior to February 23d, 1864. Applicants may present their credentials by mail or proxy, and the Board shall issue its certificates to such applicants as are entitled thereto as though the applicant was present. All certificates shall be signed by the President and Secretary, and attested by the seal of the Board, and not more than two dollars shall be charged for any certificate.

SECTION 4.—Nothing in this law shall be construed as to authorize any itinerant doctor to register or to practice medicine in any county in this state.

SECTION 5.—The State Board of Health may refuse to issue the certificate provided for in Section 3 of this article to any individual guilty of grossly unprofessional conduct of a character likely to deceive or defraud the public, and it may, after due notice and hearing, revoke such certificates for like cause. In all cases of refusal or revocation, the applicant may appeal to the Governor, who may affirm or overrule the decision of the Board, and this decision shall be final.

SECTION 6.—Nothing in this law shall be so construed as to discriminate against any peculiar school or system of medicine, or to prohibit women from practicing midwifery, or to prohibit gratuitous services in case of emergency; nor shall this law apply to commissioned surgeons of the United States Army, Navy or Marine Hospital Service, or to legally qualified physicians of another state, called to see a particular case or family, but who does not open an office or appoint any place in this state where he or she may meet patients or receive calls.

SECTION 7.—It shall be the duty of the State and Local Boards of Health to bring to the attention

of the courts any violations of the provisions of this law within their respective jurisdictions.

SECTION 8.—Any person living in this state, or any person coming into this state, who shall practice medicine, or attempt to practice medicine in any of its branches, or who shall perform, or attempt to perform, any surgical operation for or upon any person within the limits of this state, for reward or compensation in violation of the provisions of this law, shall, upon conviction thereof, be fined fifty dollars, and upon each and every subsequent conviction shall be fined one hundred dollars and imprisoned thirty days, or either or both, in the discretion of the jury; and in no case, where any provision of this law has been violated, shall the person so violating be entitled to receive compensation for services rendered. To open an office for such purpose, or to announce to the public in any other way a readiness to practice medicine in any county, shall be to engage in the practice of medicine within the meaning of the law.

Approved April 10th, 1893.

Now, that you have read it I will ask: Is there anything about it incomprehensible? Isn't its intention plain?

If a doctor is worthy of the title shouldn't he be able to see that it is enacted for his benefit and protection as well as for the benefit of the people?

It is possible that I can see only one side, but I have intended to consider every rebellious statement that has come to my observation with impartiality, quietly comply with the law and my individual affairs.

But a recent mail brings me a pamphlet from Bowling Green filled with newspaper clippings and what appears the views of envious doctors. This communication makes the statement that "every physician in the place, with two exceptions, have signed the protest," Dr. McCormack, our worthy

Secretary of the State Board of Health, being one, and another who was absent from the place.

There is likewise a feeble following throughout the state.

The contributions to this free educator consist of selections from the daily papers of Louisville, interspersed with expressions of these doctors. The majority bear evidence of careful consideration, but the the absence of the author's name, where it should appear, and in its stead you find signed "A Kicker," "A Country Doctor," &c., (even this mark of self-respect is indicative of former standing,) but, nevertheless, to it must be accorded the worth of the anonymous.

I am informed that the trouble in Bowling Green is a personal one.

I have found ignorance of the laws to exist in each instance where objection prevailed. Removal of the cause cured the ill.

It is reasonable to presume, however, that many in the state have been placed in error from press notices on one hand and ignorance of the law as enacted on the other. It is generally true every community possesses *kickers*. It is a lamentable fact that no society, order, or sect is free from them. What else are we to expect?

The "protesters" of Bowling Green claim that the Act of 1888 is full and complete.

"That the \$2 certificate and registration fee is onerous and unjust."

"That the recent law is unconstitutional."

"That a registration is inconvenient and unnecessary."

"That they are denied a trial by a jury," &c., &c.

Aside from the personal feeling manifested toward Dr. McCormack and the profession in Louisville I see nothing further worthy of notice.

In my youth I was taught that one good excuse was sufficient.

In this protest I find not one, for by a comparison of the two laws in question you see at once wherein they differ.

Could you see the beautiful certificate as provided by the State Board of Health and understand the labor attached to the office you would wonder at the economy.

"That the new law is unconstitutional" we, as physicians, are not supposed to know but are expected to obey.

"That the registration as prescribed by the new law is inconvenient and unnecessary," read Section 3 and learn how considerate the framers were lest they give annoyance.

"That they are denied a trial by jury." It is bad that a representative of the noble profession of medicine has pent up within his bosom a conscience fearing justice.

In regard to the position of the press upon this subject. The enlightened element of our population must know the generous manner in which the itinerant doctor utilizes the columns of the various publications. The attractive and distinguished pictures of the specialist himself, the "before and after taking" pictorial representations of prominent patients and their unsolicited testimonials, lengthy descriptions of the processes, known only to them-

selves, scientific articles taken from standard authors offered as original, guarantees and pledges impossible of fulfilment by earthly skill, representations foreign to truth, honor and justice, intended to attract the eye and consideration of certain classes, hoping that some may fall victims to their seductive entreatise. With a large portion of each issue devoted to this profitable yet disreputable business their interest and the success of the quack is here set forth. Nor does it end here. For almost every mail brings to every hamlet a flood of free literature, descriptive of the ills of life, offering, as it were, free advice for their welfare. But experience in accepting what appears to be a generous and charitable gift has invariably left its sting. By constant reference to their plausible descriptions the young and susceptible mind grows morbid, fancied infirmities here have their origin, and their lot becomes one of misery and woe. When you consider the volume of this business and speculate as regards the extent to which printers' ink is sought, and how essential is advertising in its several varieties to the success of these human vultures and how helpless would they become without its liberal use, it goes without saying that the publishers are down on any law suppressing or restricting this class of fraud.

I have the pleasure to state that there are exceptions among editors. There must be many for I am not inclined to believe that the very important office, the givers of information, the guardians of the masses, as a rule would knowingly mislead their patrons.

Could the press realize to what extent the public confide in every statement published, to what extent ignorance and superstition prevails, and the only

motive of the itinerant, they doubtless would exercise greater care in the discharge of their duty.

Every physician, I presume, must have examples of cures from this source. I have several true and interesting but sad ones, but will refrain at this time.

With this I have, in behalf of the Northeastern Kentucky Medical Association, intended to establish the position of the society upon this very important question.

I have referred to every argument used against the new law in a very brief way and believe have shown a reason why physicians of professional standing should subscribe to it. I have, of course, ignored the anonymous.

My aim has been to voice the sentiments of this Association and induce every regular physician to act with becoming prudence.

That the act of the last legislature is now a law there is no question, and as law-abiding and God-fearing subjects our duty is plain.

That the code of ethics is our rule and guide from which we hope to build our professional character.


That I may have the pleasure of meeting at Blue Lick Springs every physician in this, the Ninth Congressional District, next May,

I beg to subscribe myself,

G. M. PHILLIPS, M. D.,

208 and 210 Sutton street, Maysville, Ky.,
Secretary N. E. Kentucky Medical Association.

Constitution.



Article I.

Name—This organization shall be known as the
NORTHEASTERN KENTUCKY MEDICAL ASSOCIATION.

Article II.

The object of this society shall be the advancement of medical science, the diffusion of medical and scientific knowledge, elevation of character, cultivation of harmony and individual improvement.

Article III.

SECTION 1.—This society shall be composed of permanent and honorary members.

SECTION 2.—Every candidate for permanent membership shall make application to the society in writing and be endorsed by two active members and referred to a Board of Censors.

SECTION 3.—Every applicant for permanent membership shall be a resident of Kentucky or the border counties of Ohio and West Virginia, and legally authorized to practice medicine in the various branches and shall be of the regular profession.

SECTION 4. Three-fourths of the membership present shall be the required vote for admission of an applicant for membership and the vote thereon shall be by ballot at regular meeting.

SECTION 5. Honorary membership shall only be conferred on distinguished members of the profession who do not reside within the limits prescribed for permanent membership and honorary retired members of the profession. They shall be elected in the same manner as are permanent members and not entitled to vote. Honorary members shall be free from pecuniary contributions.

SECTION 6. Each member shall be required to sign the Constitution and By-Laws before being allowed to participate in any meetings of the society.

SECTION 7. Resignations shall be made in writing and an accompanying certificate from the Secretary showing that all dues are paid. No resignation shall be accepted if charges should be pending against said member.

Article IV.

ORDER OF BUSINESS.

SECTION 1. Secretary shall prepare a program, and all papers to be read and reports of cases to be made shall be furnished by title to the Secretary at least thirty days before a regular meeting.

SECTION 2. After reading the minutes reports of officers and miscellaneous business for one hour. The President's address shall then be delivered, after which the program of voluntary papers and reports of cases shall be taken up.

SECTION 3. Miscellaneous business limited to

first hour of morning session, except the election of officers as hereinafter provided for.

Article V.

OFFICERS.

SECTION 1. — The officers shall be a President, Vice-President, Secretary, Assistant Secretary, Treasurer and Board of Censors consisting of five.

SECTION 2. — Each officer shall be elected every six months, except the Secretary, Assistant Secretary and Treasurer who shall be elected annually; election to take place after the regular sessions of the society are over.

Article VI.

SECTION 1. — This society shall hold semi-annual meetings at such place as the society may elect from time to time.

SECTION 2. — The semi-annual sessions shall be held on the fourth Thursday in May and the fourth Thursday in October each year.

SECTION 3. — Special meetings may be called by the President, or by resolution of the society.

Article VII.

Funds for paying expenses of semi-annual meetings shall be raised by annual assessment and any member failing to pay for one year shall, upon notice from the Secretary, forfeit his membership. He may be re-instated by payment of dues.


Article VIII.

The disciplinary control of the society shall be in accord with parliamentary usages.

Article IX.

Any alteration or amendment of this Constitution must be submitted in writing at the beginning of a semi-annual meeting and shall be read at each session. It may be adopted at the last session, if the vote thereon is unanimous, otherwise it must lay over until next regular meeting and then be endorsed by two-thirds of the members present.

By-Laws.



SECTION 1.—The President shall preside at all meetings, preserve order and perform all duties that parliamentary usages may require, and shall deliver an address upon some current subject at each meeting.

SECTION 2.—The Vice-President shall assist the President in the performance of his duties and shall preside during his absence; upon his request he shall officiate in his place. If neither the President or Vice-President are present the society shall elect a President pro tem.

SECTION 3.—The Secretary shall arrange and keep a correct alphabetical list of members, keep accurate minutes, including names of members present, shall keep regular accounts with the members, receive money due and pay it to the Treasurer, taking his receipt for same in record book, preserve papers in regular files, furnish committees with a copy of the minutes of appointment together with any special duties of committee. He shall also notify all members and officers of their election. He shall receive and answer letters and manage the correspondence of the society, notify members of special meetings and advise each member by card, when on duty, and notify all members by card at least ten days before regular meeting of said meetings and of program of said meetings of the society.

SECTION 4.—The Treasurer shall hold all monies of the society and pay same out only upon order of the society, signed by the President and Secretary.

SECTION 5.—The Board of Censors shall be appointed by the President and their duty shall be to act upon applications for membership and bring to the notice of the society any breach of ethics or decorum.

SECTION 6.—Standing Committee.—A Committee of Arrangements shall be appointed to report at each meeting, the chairman to be from the place where the following meeting is to be held.

SECTION 7.—Assessment.—The sum of \$2 shall be assessed annually, payable semi-annually,—\$1 at each regular meeting.

SECTION 8.—Members shall observe order and decorum and pay due respect to President, officers and his fellows.

SECTION 9.—An address shall be delivered by the President at each meeting not to exceed thirty minutes. No paper read shall exceed twenty minutes and shall be discussed by five minute speeches, no member to speak more than once on the same paper, except by consent of the society, the party however reading the paper shall close the discussion. .

SECTION 10.—These By-Laws may be amended by a two-thirds vote of members present at any regular meeting.

Address communications to

G. M. PHILLIPS, *Secretary*,

208 and 210 Sutton street.

Maysville, Ky.



